

# Senate File 447 - Enrolled

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SENATE FILE 447

AN ACT

RELATING TO INCENTIVES FOR SCHOOL DISTRICT REORGANIZATIONS AND  
SHARED OPERATIONAL FUNCTIONS, AND MAKING AN APPROPRIATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 257.3, subsection 2, paragraph d, Code  
2007, is amended to read as follows:

d. For purposes of this section, a reorganized school  
district is one which absorbs at least thirty percent of the  
enrollment of the school district affected by a reorganization  
or dissolved during a dissolution and in which action to bring  
about a reorganization or dissolution is initiated by a vote  
of the board of directors or jointly by the affected boards of  
directors to take effect on or after July 1, ~~2002~~ 2007, and on  
or before July 1, ~~2006~~ 2014. Each district which initiated,  
by a vote of the board of directors or jointly by the affected  
boards, action to bring about a reorganization or dissolution  
to take effect on or after July 1, ~~2002~~ 2007, and on or before  
July 1, ~~2006~~ 2014, shall certify the date and the nature of  
the action taken to the department of education by January 1  
of the year in which the reorganization or dissolution takes  
effect. For a reorganization or dissolution that took effect  
on or after July 1, 2002, and on or before July 1, 2006, the  
reorganized school district shall continue to receive the  
benefits of paragraphs "a" and "b" of this subsection for the  
time specified in those paragraphs.

Sec. 2. Section 257.11, subsection 2, paragraph c, Code  
2007, is amended by striking the paragraph and inserting in  
lieu thereof the following:

c. Pupils attending class for all or a substantial portion  
of a school day pursuant to a whole grade sharing agreement  
executed under sections 282.10 through 282.12 shall be  
eligible for supplementary weighting pursuant to this  
subsection. A school district which executes a whole grade  
sharing agreement and which adopts a resolution jointly with  
other affected boards to study the question of undergoing a  
reorganization or dissolution to take effect on or before July  
1, 2014, shall receive a weighting of one-tenth of the  
percentage of the pupil's school day during which the pupil  
attends classes in another district, attends classes taught by  
a teacher who is jointly employed under section 280.15, or  
attends classes taught by a teacher who is employed by another  
school district. A district shall be eligible for  
supplementary weighting pursuant to this paragraph for a  
maximum of three years. Receipt of supplementary weighting  
for a second and third year shall be conditioned upon  
submission of information resulting from the study to the  
school budget review committee indicating progress toward the  
objective of reorganization on or before July 1, 2014.

Sec. 3. Section 257.11, subsection 5, paragraph a, Code  
2007, is amended to read as follows:

a. For the school budget year beginning July 1, 2002, ~~and~~  
~~succeeding budget years through the school budget year~~  
~~beginning July 1, 2007~~, in order to provide additional funds  
for school districts in which a regional academy is located, a  
supplementary weighting plan for determining enrollment is  
adopted.

Sec. 4. Section 257.11, Code 2007, is amended by adding  
the following new subsection:

NEW SUBSECTION. 5A. SHARED OPERATIONAL FUNCTIONS ==  
INCREASED STUDENT OPPORTUNITIES.

a. In order to provide additional funding to increase  
student opportunities and redirect more resources to student  
programming for school districts that share operational  
functions, a supplementary weighting of two hundredths per  
pupil shall be assigned to pupils enrolled in a district that  
shares with a political subdivision one or more operational  
functions in the areas of superintendent management, business  
management, human resources, transportation, or operation and  
maintenance for at least twenty percent of the school year.

3 4 The additional weighting shall be assigned for each discrete  
3 5 operational function shared. For the purposes of this  
3 6 section, "political subdivision" means a city, township,  
3 7 county, school corporation, merged area, area education  
3 8 agency, institution governed by the state board of regents, or  
3 9 any other governmental subdivision.

3 10 b. Supplementary weighting pursuant to this subsection  
3 11 shall be available to a school district for a maximum of five  
3 12 years during the period commencing with the budget year  
3 13 beginning July 1, 2008, through the budget year beginning July  
3 14 1, 2013. The minimum amount of additional weighting for which  
3 15 a school district shall be eligible is an amount equivalent to  
3 16 ten additional pupils, and the maximum amount of additional  
3 17 weighting for which a school district shall be eligible is an  
3 18 amount equivalent to forty additional pupils. Receipt of  
3 19 supplementary weighting by a school district pursuant to this  
3 20 subsection for more than one year shall be contingent upon the  
3 21 annual submission of information by the district to the  
3 22 department documenting cost savings directly attributable to  
3 23 the shared operational functions. Criteria for determining  
3 24 the number of years for which supplementary weighting shall be  
3 25 received pursuant to this subsection, subject to the five-year  
3 26 maximum, and for determining qualification of operational  
3 27 functions for supplementary weighting shall be determined by  
3 28 the department by rule, through consideration of long-term  
3 29 savings by the school district or increased student  
3 30 opportunities.

3 31 c. Supplementary weighting pursuant to this subsection  
3 32 shall be available to an area education agency for a maximum  
3 33 of five years during the period commencing with the budget  
3 34 year beginning July 1, 2008. The minimum amount of additional  
3 35 funding for which an area education agency shall be eligible  
4 1 is fifty thousand dollars, and the maximum amount of  
4 2 additional funding for which an area education agency shall be  
4 3 eligible is two hundred thousand dollars. The department of  
4 4 management shall annually set a weighting for each area  
4 5 education agency to generate the approved operational sharing  
4 6 expense using the area education agency's special education  
4 7 cost per pupil amount and foundation level. Receipt of  
4 8 supplementary weighting by an area education agency for more  
4 9 than one year shall be contingent upon the annual submission  
4 10 of information by the district to the department documenting  
4 11 cost savings directly attributable to the shared operational  
4 12 functions. Criteria for determining the number of years for  
4 13 which supplementary weighting shall be received pursuant to  
4 14 this subsection, subject to the five-year maximum, and the  
4 15 amount generated by the supplementary weighting, and for  
4 16 determining qualification of operational functions for  
4 17 supplementary weighting shall be determined by the department  
4 18 by rule, through consideration of long-term savings by the  
4 19 area educational agency or increased student opportunities.

4 20 d. The amount of any supplementary weighting originally  
4 21 received under this subsection shall be reduced by an  
4 22 additional twenty percent from the original amount for each  
4 23 subsequent budget year that supplementary weighting may be  
4 24 received.

4 25 e. This subsection is repealed effective July 1, 2014.

4 26 Sec. 5. Section 257.11A, Code 2007, is amended to read as  
4 27 follows:

4 28 257.11A SUPPLEMENTARY WEIGHTING AND SCHOOL REORGANIZATION.

4 29 1. In determining weighted enrollment under section 257.6,  
4 30 if the board of directors of a school district has approved a  
4 31 contract for sharing pursuant to section 257.11 and the school  
4 32 district has approved an action to bring about a  
4 33 reorganization to take effect on and after July 1, ~~2002~~ 2007,  
4 34 and on or before July 1, ~~2006~~ 2014, the reorganized school  
4 35 district shall include, for a period of three years following  
5 1 the effective date of the reorganization, additional pupils  
5 2 added by the application of the supplementary weighting plan,  
5 3 equal to the pupils added by the application of the  
5 4 supplementary weighting plan in the year preceding the  
5 5 reorganization. For the purposes of this subsection, the  
5 6 weighted enrollment for the period of three years following  
5 7 the effective date of reorganization shall include the  
5 8 supplementary weighting in the base year used for determining  
5 9 the combined district cost for the first year of the  
5 10 reorganization. However, the weighting shall be reduced by  
5 11 the supplementary weighting added for a pupil whose residency  
5 12 is not within the reorganized district.

5 13 2. For purposes of this section, a reorganized district is  
5 14 one in which the reorganization was approved in an election

5 15 pursuant to sections 275.18 and 275.20 and takes effect on or  
5 16 after July 1, ~~2002~~ 2007, and on or before July 1, ~~2006~~ 2014.  
5 17 Each district which initiates, by a vote of the board of  
5 18 directors or jointly by the affected boards, action to bring  
5 19 about a reorganization or dissolution to take effect on or  
5 20 after July 1, ~~2002~~ 2007, and on or before July 1, ~~2006~~ 2014,  
5 21 shall certify the date and the nature of the action taken to  
5 22 the department of education by January 1 of the year in which  
5 23 the reorganization or dissolution takes effect.  
5 24 ~~3. Notwithstanding subsection 1, a school district which~~  
5 25 ~~was participating in a whole grade sharing arrangement during~~  
5 26 ~~the budget year beginning July 1, 2001, and which received a~~  
5 27 ~~maximum of two years of supplementary weighting pursuant to~~  
5 28 ~~section 257.11, subsection 2, paragraph "c", shall include~~  
5 29 ~~additional pupils added by the application of the~~  
5 30 ~~supplementary weighting plan, equal to the pupils added by the~~  
5 31 ~~application of the supplementary weighting plan in the year~~  
5 32 ~~preceding the reorganization, for a period of four years~~  
5 33 ~~following the effective date of the reorganization.~~

5 34 ~~4- 3. A school district shall be eligible for a combined~~  
5 35 ~~maximum total of six years of supplementary weighting under~~  
6 1 ~~the provisions of this section and section 257.11, subsection~~  
6 2 ~~2, paragraph "c". A school district participating in a whole~~  
6 3 ~~grade sharing arrangement during the budget year beginning~~  
6 4 ~~July 1, 2001, that adopted a resolution jointly with other~~  
6 5 ~~affected boards to study the question of undergoing a~~  
6 6 ~~reorganization or dissolution to take effect on or after July~~  
6 7 ~~1, 2002, and on or before July 1, 2006, shall continue to~~  
6 8 ~~receive the supplementary weighting to which it was entitled~~  
6 9 ~~pursuant to the provisions of this section and section 257.11,~~  
6 10 ~~subsection 2, paragraph "c".~~

6 11 Sec. 6. SCHOOL DISTRICT SHARING AND EFFICIENCIES ==  
6 12 APPROPRIATION. For the fiscal year beginning July 1, 2007,  
6 13 and ending June 30, 2008, there is appropriated from the  
6 14 general fund of the state to the department of education the  
6 15 following amount, or so much thereof as is necessary, to be  
6 16 used for the purposes designated in this section:

6 17 ..... \$ 400,000

6 18 The amount appropriated shall be utilized by the department  
6 19 for development of a uniform process to facilitate discussions  
6 20 to promote reductions in the costs of operations and create  
6 21 additional resource availability as provided in subsections 1  
6 22 through 5.

6 23 1. Not later than September 15, 2007, the department of  
6 24 education shall, in consultation with the boards of directors  
6 25 of the area education agencies and other appropriate education  
6 26 stakeholders as necessary, develop a uniform process to  
6 27 facilitate discussion between school district leaders in order  
6 28 to support rigorous and relevant student programming and  
6 29 efforts to increase student achievement through identification  
6 30 and realization of sharing and efficiency of operations  
6 31 efforts with other school districts, educational partners, and  
6 32 governmental subdivisions. The process is intended to promote  
6 33 reductions in the costs of operations and create additional  
6 34 resource availability. The process shall provide a framework  
6 35 for a consistent regional plan for use by area education  
7 1 agencies pursuant to subsection 3.

7 2 2. The department of education shall employ staff members  
7 3 to be placed in the area education agencies to coordinate and  
7 4 facilitate the processes developed pursuant to subsection 1,  
7 5 between area education agency personnel, community college  
7 6 representatives, postsecondary institutions, and school  
7 7 district leaders from every school district located within  
7 8 each area education agency. Processes to be developed shall  
7 9 include but shall not be limited to school district and area  
7 10 education agency services available to improve efficiencies,  
7 11 areas of potential sharing, and efficiency of operations.  
7 12 Other governmental subdivisions and private entities may be  
7 13 consulted for efficiency proposals. Districts involved in the  
7 14 processes shall consider operational efficiencies, shared  
7 15 programming, transportation sharing, expansion of area  
7 16 education agency cooperatives, common schedules for school  
7 17 districts and community colleges, energy and insurance  
7 18 efficiencies, effective structure and delivery models that  
7 19 promote optimum student achievement, graduation requirements,  
7 20 and a rigorous, relevant curriculum.

7 21 3. By January 15, 2008, each area education agency shall  
7 22 submit a plan to the department which identifies the existing,  
7 23 new, or expanded opportunities for school district sharing or  
7 24 efficiency of operations determined as a result of completing  
7 25 the process. The plan shall provide for long-term measures

7 26 that identify money or time saved as a result of the sharing  
7 27 or efficiency of operations efforts, list the cooperative  
7 28 partners in specific sharing or efficiency of operations  
7 29 efforts, describe effective structure and delivery models that  
7 30 promote optimum student achievement, and include provisions  
7 31 for making educational stakeholders aware of the sharing and  
7 32 efficiency in operations opportunities available in each area.  
7 33 4. The department of education shall compile and review  
7 34 the plans submitted pursuant to subsection 3, identify  
7 35 barriers to potential sharing and efficiency in operations  
8 1 efforts, recommend a timeline for implementation of sharing  
8 2 and efficiency of operations efforts and a reduction in  
8 3 funding related to penalties for noncompliance with the  
8 4 implementation of sharing and efficiency of operations  
8 5 efforts, and shall submit its findings and recommendations to  
8 6 the general assembly by March 15, 2008.  
8 7 5. For purposes of subsection 1, "school district leaders"  
8 8 includes superintendents, administrators, central office  
8 9 staff, educators, and school board members, although a school  
8 10 district may designate one school district leader to represent  
8 11 the school district regularly at the meetings held pursuant to  
8 12 subsection 2.  
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8 16 \_\_\_\_\_  
8 17 JOHN P. KIBBIE  
8 18 President of the Senate  
8 19

8 20 \_\_\_\_\_  
8 21 PATRICK J. MURPHY  
8 22 Speaker of the House  
8 23

8 24 I hereby certify that this bill originated in the Senate and  
8 25 is known as Senate File 447, Eighty-second General Assembly.  
8 26

8 27 \_\_\_\_\_  
8 28 MICHAEL E. MARSHALL  
8 29 Secretary of the Senate  
8 30

8 31 Approved \_\_\_\_\_, 2007  
8 32  
8 33

8 34 \_\_\_\_\_  
8 35 CHESTER J. CULVER  
9 1 Governor